



Count 2

2 On or about September 19, 2007, within the Southern District  
3 of California, defendant JORGE MARTINEZ-MENDOZA, aka Jose Diaz-  
4 Gutierrez, being an alien, unlawfully entered or attempted to enter  
5 the United States at a time and place other than as designated by  
6 immigration officers, and eluded examination and inspection by  
7 immigration officers, and attempted to enter or obtained entry to  
8 the United States by a willfully false or misleading representation  
9 or the willful concealment of a material fact; and previously  
10 committed the misdemeanor offense of illegal entry, as evidenced by  
11 his conviction on October 9, 2002 for Illegal Entry, in violation  
12 of Title 8, United States Code, Section 1325, in the United States  
13 District Court for the Souther District of California; all in  
14 violation of Title 8, United States Code, Section 1325, a felony.

DATED: 10/30/07

KAREN P. HEWITT  
United States Attorney

J. P. Mc for

AARON B. CLARK  
Assistant U.S. Attorney